

## **ANIMAL AND PLANT HEALTH INSPECTION SERVICE**

### **COMMITTEE MEMBERSHIP BALANCE PLAN**

#### **1. Committee's Official Designation**

The reestablished committee shall be the Secretary's Advisory Committee on Animal Health (the "Committee").

#### **2. Authority**

The Committee is established by the Secretary for the U.S. Department of Agriculture (USDA) in accordance with the Federal Advisory Committee Act (FACA) as amended 5 U.S.C. App. 2. The USDA retains all discretionary authority vested by FACA.

#### **3. Objectives and Scope of Activities**

The Committee's purpose is to advise the USDA on strategies, policies, and programs that prevent, control, and/or eradicate diseases of national significance. The Committee will lead the dialogue on pertinent public health concerns, conservation of natural resources, and the stability of the livestock economies. The Committee, through representation, will also engage the public in matters involving livestock disease management and traceability strategies, prioritizing animal health imperatives, and other related aspects of agriculture.

#### **4. Points of View Needed for the Committee**

The points of view sought for this Committee will require representatives from a variety of geographic locations, representing a broad spectrum of farmers, scientists, trade association representatives, the university community, Tribal and State Animal Health Officials, and representatives from other groups with related agricultural interests. During 2012, the Agency received 89 nominations that were considered for appointment to the Committee. One Special Government Employee (SGE) was appointed for the 2012–2014 term as expert in an epidemiology and animal health. The remaining 19 members were appointed as representatives of the following groups:

- Cattle producers/cattle producer groups (3);
- Poultry producers/poultry producer groups (2);

- Swine producers/swine producer groups (2);
- Sheep and goat producers/sheep and goat producer organizations (1);
- Aquaculture producers/aquaculture producer groups (1);
- Animal welfare organizations (1);
- Wildlife/zoo biologists or veterinarians (1);
- Veterinarians/veterinary professional organizations (3);
- Agricultural research/academia/scientists (2) (1 representative; 1 SGE);
- Organic producers/organic producer groups (2);
- Tribal and State animal health officials (2); and
- Livestock marketing and processing groups (2).

The numbers following each group represents the desired distribution of the candidates among the various groups. This represents a balanced Committee.

## **5. Other Balance Factors**

An effort will be made to provide a balance of points of view from a range of agricultural interests, as well as to appoint members from multiple regions of the United States.

Equal opportunity practices in accordance with USDA policies will be followed in all appointments to the Committee. To ensure recommendations of the Committee have taken into account the needs of the diverse groups served by USDA, membership shall include – to the extent possible – individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

## **6. Candidate Identification Process**

The Agency will reconvene a task group from its ranks of Veterinary Medical Officers, who along with the Designated Federal Officer will review all incoming nominations. While the terms of all Committee members are slated to expire in May 2015, up to fifty percent (or ten members) of the current Committee may be reappointed for another year to ensure continuity and seamless transition. Current Committee members may also nominate others. Once candidates have been identified, their names and background data are submitted to the USDA White House Liaison's office for vetting. The vetting process includes a background

check to determine if any of the candidates have a conflict of interest that would prohibit them from serving on the committee due to criminal or ethical violations. Current members who have not reach the 6-year limitation of Federal advisory committee service will be considered for an additional 2-year reappointment. These members will be required to complete a new Form AD-755.

## **7. Subcommittee Balance**

The Subcommittee on Aquatic Animal Health (SAAH) has been decommissioned. Should the Committee deem it necessary and advisable to commission another committee, it will be balanced relative to the nature of the issues undertaken.

## **8. Legal Background**

Section 5(b)(2) of the FACA requires “...the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee.” The corresponding FACA regulations reiterate this requirement at 41 CFR § 102-3.30(c), and—for discretionary committees being established, renewed, or reestablished—require agencies to provide a description of their plan to attain fairly balanced membership during the charter consultation process with GSA (41 CFR § 102-3.60(b)(3)). The document created through this process is the Membership Balance Plan. The regulations further clarify:

(1) the purpose of the membership balance plan is to ensure “that, in the selection of members for the advisory committee, the agency will consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the advisory committee”; and

(2) “[a]dvisory committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed.” (41 CFR § 102-3.60(b)(3)).

FACA mandates that Federal advisory committees be balanced in the points of view represented by the members, but leaves it to the discretion of each Agency on how to do this. The FACA regulations offer guidance in achieving a balanced Federal advisory committee membership, which includes considering:

- a. The Federal advisory committee’s mission;
- b. The geographic, ethnic, social, economic, or scientific impact of the Federal advisory committee’s recommendations;

- c. The types of specific perspectives required, such as those of consumers, technical experts, the public at-large, academia, business, or other sectors;
- d. The need to obtain divergent points of view on the issues before the Federal advisory committee; and
- e. The relevance of State, local, or Tribal governments to the development of the Federal advisory committee's recommendations." (41 CFR § III of App. A to Subpart B).

**9. Date Prepared: April 14, 2014**